

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

ARMANDO AGUILAR MORALES, on	§	
behalf of himself and his minor daughter	§	
J.J.A.R., and PEDRO RAMOS PEREZ on	§	
behalf of himself and his minor son F.R.I.,	§	
	§	
<i>Plaintiffs,</i>	§	
	§	
v.	§	CIVIL ACTION NO. 3:23-CV-00247-KC
	§	
THE UNITED STATES OF AMERICA,	§	
	§	
<i>Defendant,</i>	§	

ORDER APPROVING SETTLEMENT OF MINOR'S CLAIMS

The Court has reviewed Plaintiffs' Motion for Court Approval of Settlement of Minor's Claims (Doc. 34), the Guardian Ad Litem's report (Doc. 36), and having held a hearing on July 18, 2024, with all parties and the Guardian Ad Litem present, and considering Defendant's non-objection to the motion for approval of settlement, the Court finds and orders as follows:

FINDINGS:

1. The Guardian Ad Litem, after review, finds that the proposed settlement is just, reasonable, and in the best interest of the minor, J.J.A.R.
2. Mr. Aguilar Morales, father of J.J.A.R., finds that the proposed settlement is fair and reasonable. Mr. Aguilar Morales has agreed to the proposed settlement on his own behalf and on behalf of minor J.J.A.R.

IT IS THEREFORE ORDERED:

1. The Court approves the proposed settlement (Doc. 34-1) in its entirety.
2. The Court orders that, pursuant to the proposed settlement, Defendant United States of America will pay Plaintiffs Mr. Aguilar Morales and J.J.A.R. a total of \$100,000.00 in exchange for their release of claims against Defendant. The Court approves the following allocation of this total settlement amount: J.J.A.R. will receive \$26,135.00; Armando Aguilar Morales will receive \$48,420.00; Plaintiffs' attorneys will receive \$25,000.00 as payment for attorneys' fees; Plaintiffs' attorneys will receive \$445.00 for costs in this proceeding (representing the initial filing fees and the cost of interpretation for the July 18, 2024 hearing).
3. Plaintiffs' counsel will be responsible for paying attorneys' fees of Guardian Ad Litem Alexander Niell out of the attorneys' fees received pursuant to the allocation listed in the previous paragraph.
4. This approved settlement agreement is contingent on approval of the United States Department of Justice. Upon receiving said approval, counsel for the Defendant shall request funding of the total settlement amount (\$100,000.00) to be made payable to the IOLA trust account for the Law Offices of Julie R. Ulmet.
5. The Court approves placement of J.J.A.R.'s portion of the Settlement (\$26,135.00) into a pooled minor's trust operated by Legacy Enhancement until J.J.A.R. reaches the age of 18.
6. The Court orders the Guardian Ad Litem to sign all documents – including the Joinder Agreement – which are necessary to allow for transfer of said monies to

Legacy Enhancement in accordance with the terms of the pooled minor's trust that was attached to Plaintiffs' Motion for Court Approval.

7. Plaintiffs' counsel will be responsible for ensuring that the settlement funds of \$26,135.00 allocated to J.J.A.R. are transferred in a timely manner to the pooled minor's trust operated by Legacy Enhancement within a reasonable time following receipt of settlement funds from Defendant.

SO ORDERED.

SIGNED this 23rd day of July, 2024.


KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE